

**Order Number: # 03-12-01-22-31**



**U.S. Department of Agriculture, U.S. Forest Service  
Tonto National Forest  
Cave Creek Ranger District**

**Box Bar Seasonal Eagle Closure**

**PROHIBITIONS**

Pursuant to 16 U.S.C. § 551 and 36 C.F.R. § 261.50(a), the following is prohibited on the National Forest System (NFS) lands in the Cave Creek Ranger District, Tonto National Forest, described below and shown on the attached map incorporated into this Order as Exhibit A (the "Described Area"):

1. Going into or being upon the Described Area. 36 C.F.R. § 261.53(a).

**EXEMPTIONS**

Pursuant to 36 C.F.R. § 261.50(e), the following persons are exempt from this Order:

1. Persons affiliated with the Arizona Game and Fish Department, U.S. Fish and Wildlife Service, the Maricopa Audubon Society, or the Arizona Bald Eagle Nestwatch Program in the performance of their official duties.
2. Persons with Forest Service Permit No. FS-7700-48 (Permit for Use of Roads, Trails, or Areas Restricted by Regulation or Order), specifically exempting them from this Order or a written determination by a Forest Service authorized officer that a permit is not required under 36 C.F.R. § 251.50(e)(1) or (2).
3. Any Federal, State, or Local Officer, or member of an organized rescue or firefighting resource in the performance of an official duty.

**DESCRIBED AREA**

The Described Area is within Sections 29 and 30, Township 5 North, Range 7 East, and consists of all NFS lands within the boundary starting at the closed gate, reference point

33° 44.665 N / -111° 39.663 W, then following Motorized Trails MT-U2354 and MT-U2348 in a northwest direction approximately 0.55 miles to reference point 33°44.968' N x -111°39.947' W, then following in a northwest direction approximately 0.12 miles to reference point 33°45.021' N x -111°40.050' W, at an unnamed wash entering from the west, then following west along the south side of the wash for approximately 0.45 miles to reference point 33°44.928' N x -111°40.414' W, where the wash intersects Needle Rock Road or NFS Road (NFSR) 20, then following south along the fence line which parallels the east side of Needle Rock Road for approximately 0.40 miles to the intersection of NFSR 2150, then following east along the fence line on the north side of NFSR 2150 approximately 0.35 miles to the intersection of NFSR 2150 and Box Bar Road, NFSR U2354, then following east along the fence line which parallels the north side of NFSR U2354 for approximately 0.35 miles to the Box Bar Recreation Site parking lot, then following along the pipe rail fence that delineates the northern portion of the parking area back to the point of beginning at the closed gate, reference point 33° 44.665 N / -111° 39.663 W.

## PURPOSE

The purpose of this Order is to provide seasonal protection of nesting bald eagles during their critical reproductive period in high-intensity recreation areas.

## IMPLEMENTATION

1. This Order shall be in effect from January 12, 2023, at 8:00 AM and will remain in effect seasonally each year from December 1 through June 30, until June 30, 2024 at 8:00 AM, unless rescinded.
2. A map identifying the Described Area is attached and made part of this Order as Exhibit A. For a digital version of this Order and Exhibit A, go to <https://www.fs.usda.gov/alerts/tonto/alerts-notices>.
3. Unless otherwise expressly defined in this Order, the terms used in this Order are defined by the regulations of the Secretary of Agriculture, 36 C.F.R. Chapter II, Parts 200-299. If there are terms in this Order that are not expressly defined in the Order or 36 C.F.R. Chapter II, Parts 200-299, their meaning shall be determined by their plain language definitions.
4. A violation of the above prohibition is punishable as a Class B misdemeanor by a fine of not more than \$5,000 for individuals and \$10,000 for organizations, or by imprisonment for not more than six months, or both. 16 U.S.C. § 551; 18 U.S.C. §§ 3559, 3571, and 3581.
5. Contact the Cave Creek Ranger District in Scottsdale, Arizona, (480) 595-3300, and Tonto National Forest Supervisor's Office in Phoenix, Arizona, (602) 225-5200, for more information about this Order.
6. This Order supersedes any previous Orders prohibiting the same or similar acts in the same Described Area.

Signed and issued on January 12, 2023.

NEIL  
BOSWORTH

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BOSWORTH  
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-07'00'

Neil Bosworth  
Forest Supervisor  
Tonto National Forest